

Before the  
FEDERAL COMMUNICATIONS COMMISSION

Washington, DC 20554

**In the Matter of**

**Amendment of Section 73.202(b)  
Table of Allotments  
FM Broadcast Stations  
(Greenfield and Seligman,  
Missouri and Huntsville,  
Arkansas)**

MM Docket No. 92-49  
RM-7924

RECEIVED

MAY 26 1992

Federal Communications Commission  
Office of the Secretary

To: Chief, Policy and Rules Division

**REPLY COMMENTS OF OZARK MOUNTAIN BROADCASTING, INC.**

Ozark Mountain Broadcasting, Inc. ("OMB"), permittee of Station KZPF, Ozark, Missouri, pursuant to Commission Rule 1.415(c) and the Notice of Proposed Rule Making herein, respectfully submits the following reply comments:

1. OMB is the permittee of Station KZPF at Ozark, Missouri. KZPF is permitted to operate on Channel 225 as a Class A facility. In its Comments in this proceeding, KYOO Broadcasting Company ("KBC"), permittee of Station KYOO-FM at Halfway, Missouri, submitted a counterproposal to the proposed rule making of KJEM-FM Limited Partnership ("Limited"), licensee of Station KESE at Seligman, Missouri, seeking substitution of Channel 226C3 for Channel 226A at Halfway. The KCB counterproposal creates a conflict with Limited's proposal to substitute Channel 227C1 for Channel 227C2 at Seligman. As part of the

KBC counterproposal, it was requested that Channel 228A be substituted for Channel 225A at Ozark and Channel 299A be substituted for Channel 228A at Greenfield, Missouri.

2. OMB objects to any substitution for Channel 225A at Ozark, Missouri. Any change in channel at this time would lengthen the time before the station could begin operating and providing a service to the residents of Ozark, Missouri, and surrounding Christian County. Should the Commission substitute Channel 228A for Channel 225A at Ozark it is wholly possible that the station would begin broadcasting on Channel 225A only to be ordered to Channel 228A when a Report and Order is issued in this proceeding. In effect, a change of operating frequencies during the critical first year of operation might prove to be an economic disaster which OBM might never be able to recover from. This clearly would not be in the public interest.

3. OBM has found an alternative Class C3 channel which may be allotted to Halfway which would not require any channel substitution at Ozark. In addition, this substitution at Halfway would nullify any conflict with the proposed upgrade of KESE at Seligman. Exhibit 1, attached hereto, shows that Channel 256C3 can be assigned to Halfway with a site restriction of 15.7 kilometers north to avoid a short spacing with KKHT on Channel 254C1 at Springfield, Missouri.


4. It is long standing Commission policy that channel substitutions will not be made unless absolutely necessary. It has been adequately shown in this case that at least one other equivalent channel can be allocated to Halfway without need of channel substitutions elsewhere.

5. In summary, Seligman and Halfway can both receive their requested channel upgrades if 256C3 is substituted for Channel 226C3 at Halfway. In addition, OMB would not be delayed in putting KZPF on the air or face the possibility of having to change channels in a

few months after beginning broadcasting if Channel 256C3, not Channel 226C3 is allotted to Halfway.

WHEREFORE, Ozark Mountain Broadcasting, Inc. respectfully requests that the Commission substitute Channel 256C3 for Channel 226A at Halfway, Missouri, and deny the use of Channel 226C3 at Halfway so that Channel 227C1 may be substituted for Channel 227C2 at Seligman, Missouri, which would allow the continued use of Channel 225A at Ozark, Missouri, for KXPF(FM).

Respectfully submitted,

  
Dorothy Lemmon

Ozark Mountain Broadcasting, Inc.  
512 West Edgewood  
Springfield, Missouri 65807

# EXHIBIT 1

REFERENCE  
37-45-30  
93-15-00

CLASS C3

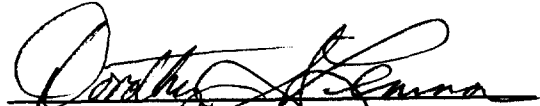
SEARCH DATE  
05-19-92

-----CHANNEL256C3-----

CALL	CH#	CITY	STATE	BEAR'	D-KM	R-KM	MARGIN
KHHT	254C1	Springfield	MO	183.88	76.75	76.0	.75
KYPG	256A	Girard	KS	258.16	143.26	142.0	1.26
ALC	255A	St. Robert	MO	84.97	94.78	89.0	5.78
KRVK	255C	Leavenworth	KS	321.89	186.47	176.0	10.47
KDBX	257C2	Booneville	MO	28.29	128.69	117.0	11.69
PROP	253A	Warsaw	MO	351.19	63.53	42.0	21.53
KADI	258A	Republic	MO	191.06	67.10	42.0	25.10
ADD	257C2	Houston	MO	119.90	144.25	117.0	27.25

## VERIFICATION

I, Dorothy Lemmon, President of Ozark Mountain Broadcasting, Inc. verify that the statements and proposals contained within this rule making petition are true and accurate to the best of my knowledge.



Dorothy Lemmon, President  
Ozark Mountain Broadcasting, Inc.

512 West Edgewood  
Springfield, Missouri 65807  
(417) 887-8903

## CERTIFICATE OF SERVICE

I, Dorothy Lemmon, do hereby certify that on the 26<sup>th</sup> day of May, 1992, I deposited copies of the foregoing "Reply Comments of Ozark Mountain Broadcasting, Inc." in the United States Mail, first class, postage prepaid, addressed to the following:

Andrew J. Rhodes, Chief  
Allocations Branch  
Policy and Rules Division  
Mass Media Bureau  
Federal Communications Commission  
2025 M Street, N.W., Room 8322  
Washington, D.C. 20554

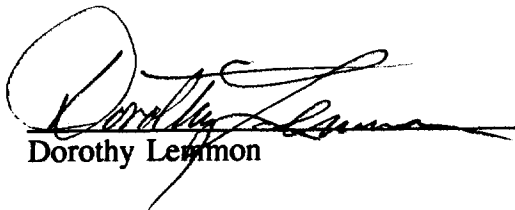
Ms. Kathleen Scheuerle  
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Dorothy Lemmon